

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

---

UNITED STATES OF AMERICA,

v.

GORDON D. MCDONALD,

Defendant.

---

Criminal No. 09-656-01 (SDW)

**ORDER**

October 1, 2012

**WIGENTON**, District Judge.

This matter, having come before the Court on the United States of America's ("Government") Motion to Remand Defendant Gordon McDonald ("Defendant") to the Federal Bureau of Prisons ("BOP") for an evaluation of his mental competency pursuant to 18 U.S.C. § 4241 and 18 U.S.C. § 4247, and this Court, having carefully reviewed and considered the submissions and arguments of the parties, for the reasons stated in this Court's Opinion dated October 1, 2012,

**IT IS ORDERED THAT:**

1. The Defendant is to voluntarily surrender to the Metropolitan Correctional Center in New York, NY, on October 9, 2012, at a time as directed by the BOP, to evaluate the Defendant's competency pursuant to 18 U.S.C. § 4241(b).
2. The Defendant, through his lawyer, Justin T. Loughry, Esq., shall forward copies of any and all available hospital, medical, psychological and psychiatric reports to the Chief Psychologist at the facility where the examination is to be conducted.

3. A report of the BOP's evaluation shall, pursuant to 18 U.S.C. § 4247, be completed within thirty (30) days of reporting. In addition, the BOP shall report its evaluative findings and conclusions to the Court and provide copies of that evaluation to counsel for the Defendant and the Government.
4. The period of commitment necessary to transport the Defendant to a suitable facility and evaluate the Defendant shall be excluded in computing the time within which the trial of any such offense must commence, pursuant to 18 U.S.C. § 3161(h)(1)(A).
5. A copy of this Order shall be given to the United States Marshal and the Marshal shall make arrangements as are necessary for the examination of the Defendant.

**WHEREFORE, IT IS**, on this 15<sup>th</sup> day of October 2012, so **ORDERED**.

  
\_\_\_\_\_  
**Susan D. Wigenton, U.S.D.J.**